



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

DAVID S. THAYER
Assistant Corporation Counsel
t: (212) 356-2649
f: (212) 356-1148
e: dthayer@law.nyc.gov

May 23, 2023

Via ECF

MEMORANDUM ENDORSED

The Honorable Gabriel W. Gorenstein
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Osias v. N.Y.C. Dep't of Educ., et al.
No. 21 CV 8877 (PAE)(GWG)

Dear Magistrate Judge Gorenstein:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, the Honorable Sylvia O. Hinds-Radix, attorney for Defendants Warden Kaputo, Captain Sands, Captain Williams, Vincent Schiraldi, NYC Health & Hospitals, and the City of New York (collectively, “Defendants”) in the above-referenced action. I write to respectfully request a brief 1-week extension of the deadline by which Defendants must make their motion for summary judgment based on the terms of the General Release discussed in their April 14, 2023 Letter to the Court, (ECF No. 49).

Shortly after the Court set the Defendants’ deadline to move for summary judgment and in light of a colleague’s unanticipated absence, I unexpectedly was tasked with coordinating the New York City Law Department’s response to over fifty special election proceedings relating to the upcoming June primary election and filed against the City’s Board of Elections in the Supreme Courts throughout the City’s boroughs. This sudden influx of a large volume of cases was extremely disruptive to my other assignments and was regrettably followed by medical issues that have caused (and continue to cause) frequent absences from work. These disruptions have resulted in additional time being needed to complete Defendants’ motion for summary judgment.

The Defendants' current deadline to move for summary judgment is May 25, 2023. (ECF No. 50.) The requested extension would move this deadline to June 1, 2023. This is the Defendants' first request for an extension of their time to move for summary judgment. Due to Plaintiff's incarceration and *pro se* status, I have not been able to seek his consent in advance of making this application.

I thank the Court for its consideration of this matter.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: ***Via First-Class Mail***

Ruddy Osias
DIN: 22-B-2764
Five Points Correctional Facility
6600 State Route 96
Caller Box 119
Romulus, NY 14541
Plaintiff pro se

The deadline for the motion for summary judgment is extended to June 1, 2023. Under Judge Engelmayer's Individual Practices, plaintiff's response is due June 29, 2023.

So Ordered.



CABRIEL W. CORENSTEIN
United States Magistrate Judge

May 24, 2023